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United States of America
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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 ROLAND HEATHINGTON,
Defendant.
16

CASE NO. 2:20-CR-00008-TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: June 10, 2021
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status and trial setting on June 10, 2021.
21 2. By this stipulation, defendant now moves to continue the status conference until July 29,
22 2021, at 9:30 a.m., and to exclude time between June 10, 2021, and July 29, 2021, under 18 U.S.C.
23 § 3161(h)(7)(A), B(iv) [Local Code T4].
24 3. The parties agree and stipulate, and request that the Court find the following:
25 a) The government has represented that the discovery associated with this case
26 includes approximately 60 pages of police reports, as well as the defendant's criminal history
27 sheet, body camera videos, and photographs. All of this discovery has been either produced
28 directly to counsel and/or made available for inspection and copying.

1 b) Counsel for defendant desires additional time to review this discovery, investigate
2 possible defenses or suppression issues, consult with his client, and negotiate a plea with the
3 government. Since the last status conference, counsel has communicated further with his client,
4 who indicated that he would like to seek options to resolve the case. Counsel needs additional
5 time to investigate and collect mitigating evidence that he will present to the United States in
6 furtherance of a plea and potential sentencing in this matter.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny him the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of June 10, 2021 to July 29, 2021,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
17 because it results from a continuance granted by the Court at defendant's request on the basis of
18 the Court's finding that the ends of justice served by taking such action outweigh the best interest
19 of the public and the defendant in a speedy trial.

20 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
21 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
22 must commence.

23 IT IS SO STIPULATED.

24 Dated: June 7, 2021

25 PHILLIP A. TALBERT
26 Acting United States Attorney

27 /s/ ROSS PEARSON
28 ROSS PEARSON
 Assistant United States Attorney

1 Dated: June 7, 2021

/s/ JEROME PRICE

JEROME PRICE

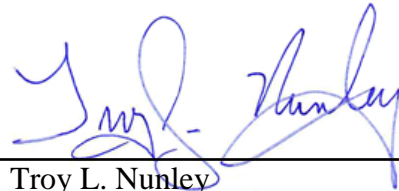
Counsel for Defendant

ROLAND HEATHINGTON

(Authorized by email on June 7,
2021)

6 **FINDINGS AND ORDER**

7 IT IS SO FOUND AND ORDERED this 7th day of June, 2021.

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Troy L. Nunley
United States District Judge